

REMARKS

Claims 1-18, 20-26, 31-48, 50, 52-60, 72-79, 88, 90, and 91 are pending, of which claims 1 and 88 are independent. Favorable reconsideration of the final action mailed April 20, 2007 (“final action”) is respectfully requested in view of the foregoing amendments and the following remarks.

35 U.S.C. § 112 Rejections

Claims 1-18, 20-26, 31-48, 50, 52-60, 72-79, 88, 90 and 91 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement.

Without conceding the examiner’s position, claims 1 and 90 have been amended. Withdrawal of the 35 U.S.C. § 112, first paragraph rejections of claims 1-18, 20-26, 31-48, 50, 52-60, 72-79, 88, 90 and 91 is respectfully requested.

35 U.S.C. § 102 Rejections

Claims 1-5, 7-11, 13, 14, 16, 20-23, 31, 32, 34, 36-38, 40-48, 50, 52-56, 59-60, 72-79, and 88 were rejected under 35 U.S.C. § 102(b) as being anticipated by Chislenko et al. (US 6,041,311).

Chislenko is directed to techniques for “accurately predicting the rating that a user will give to an item based on the rating given to the item by users that have tastes closely correlated with that user.” (col. 2, lines 7-10). To determine how “closely correlated” two users’ tastes are, the Chislenko system uses information stored in user profiles to calculate a set of similarity factors which “expresses the degree of correlation between two user’s profiles for a particular set of items.” (col. 6, lines 10-13). The similarity factors are used to select a plurality of users (referred to in Chislenko as the user’s “neighboring users”) that have a high degree of correlation to a user (which the examiner referred to on page 22, paragraph 9 of the final action as the “main user”). (col. 8, lines 1-3). The main user’s neighboring users form a neighboring user set. (col. 8, line 56). The neighboring users are weighted based on their respective similarity factors. (Abstract; see, also, col. 9, lines 13-15: “Similar users are weighted more heavily than other, less similar, users.”). Once weights are assigned to the neighboring users of the

set, the Chislenko system uses the ratings given to items by the neighboring users as well as the assigned weights to predict ratings and to make recommendations of items that the main user has not yet rated. (See col. 2, lines 20-39).

In response to the arguments presented by the applicant in the Reply of February 5, 2007, the examiner stated:

... Chislenko et al. discloses calculating factors associated with the user of the system as well as "computing parameters characterizing predicted ratings of items by non-specific users", since Chislenko computes values and weights associated with other users (besides the main user of the system. See figure 1 (step 102), column 2, lines 20-30, column 5, lines 29-45 and line 65-column 6, line 15 and lines 57-67, column 8, lines 1-7, column 9, lines 1-11, wherein parameters, such as clustering and similarity factors, are computed for a group and used to predict ratings. (page 22, paragraph 9 of the final action).

First, the applicant notes that the "parameters, such as clustering and similarity factors" of Chislenko are used to predict ratings, not characterize the predicted ratings of items. Further, even if the "parameters, such as clustering and similarity factors" of Chislenko are read as corresponding to the recited "parameters characterizing predicted ratings of items" as suggested by the examiner, no portion of Chislenko provides any teaching or suggestion of such parameters characterizing predicted ratings of items "by a non-specific user representative of the users in the group," as recited in amended claim 1.

For at least these reasons, claim 1 and its dependents are allowable over Chislenko.

The foregoing remarks also apply to independent claim 88, which has corresponding limitations.

35 U.S.C. § 103 Rejections

Claims 6, 12, 15, 17, 18, 24-26, 33, 35, 39, 57, and 58 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chislenko.

The dependent claims are allowable for at least the reasons that apply to the independent claims from which they depend.

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Conclusion

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

The Petition for Extension of Time fee in the amount of \$60.00 is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 50-4189, referencing Attorney Docket No. 30003-002001.

Respectfully submitted,

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